

## **REMARKS**

Claims 1-10 and 12-24 were pending in this application, of which independent claims 1 and 8 are amended. The amendment is supported in the drawing at, e.g., Fig. 10.

In response to the official action:

**[1-2]** Claims 1, 4-6, 12-14, and 24 are rejected under 35 U.S.C. §102 as being anticipated by Tsukamoto (U.S. Patent 5,768,952). This rejection is respectfully traversed.

**Tsukamoto.** Fig. 3 of Tsukamoto shows transmission case 15 is connected to the left side of a transaxle housing 30, and a rear cover 16 is applied to the left side to close the opening. The cover 16 is joined to case 15 at joint plane A (col. 6, line 64).

Fig. 4, an enlarged view of Fig. 3, shows that the cover 16 includes a partly-circular extension 16f that extends (to the right in Fig. 4) through the joint plane A, inward “from the inner side of the outer rim portion 16b ... along the inner periphery of the outer rim portion 16b as shown in Fig. 5” (col. 5, line 47-49). Fig. 5, which is the “V-V” section of Fig. 4 on the joint plane A, shows that the joint is substantially annular and includes bolt holes d around the rim of the cover 16. The extension 16f also has a substantially annular shape, with spline grooves that engage teeth 72a of friction plates 72 of a multi-plate brake B5 (col. 5, line 66). A snap ring 73 secures the friction plates 73.

**Extension 16f.** The Examiner applies the extension 16f to anticipate the claimed projecting portion formed on an inner surface of the case member to make an additional contact between the case member and the device body. This is respectfully believed to be in error.

(1) First, the extension 16f does not make any additional contact with the case 15; this is clearly shown in Figs. 4 and 5. In Fig. 4, the inner rim of the extension 16f does not appear to be in contact with anything in the drawing; Fig. 4 is shows a gap between the outer surface of the extension 16f and the case 15, the gap being about one millimeter wide on the paper. In Fig. 5, the cross-hatched area labeled as 16f does not make contact with the surrounding housing anywhere, and the same gap is clearly visible. There is no disclosure of contact in the text.

Thus extension 16f does not “make an additional contact between said case member and said device body,” as claimed.

(2) The Examiner applies the snap ring 73 to anticipate the claimed seal member. The snap ring 73, as shown in Fig. 4, is not in contact with the extension 16f; it is only in contact with the friction plate assembly 72. With respect, the snap ring is not “at a second contact surface located at a distal end of said projecting portion,” as claimed, because is not “at” any contact surface on the projection, which it does not touch. Moreover, the snap ring is not a “seal member” because it is not disclosed to seal anything, and because a steel ring that has a circumferential gap is not able to seal anything.

(3) Furthermore, “said projecting portion being formed at a location other than said outer circumferential portions where said fasteners are provided” is not disclosed, because the extension 16f is relatively close the bolt holes d.

**Claims 4-5.** According to claim 4 the end of the projecting portion lies in the joint plane, which is contrary to Tsukamoto. Tsukamoto shows that the end of the extension 16f is far from the joint plane A, not in it.

The Examiner asserts (bottom of page 2) that Tsukamoto discloses the subject matter of both claim 4 and claim 5, but these two claims are disjoint and recite features that are opposite. With respect, the Examiner cannot logically apply the same disclosure against both of these claims.

The same remarks apply to independent claim 8 and its dependent claims.

[3] Claims 20-23 are rejected under 35 U.S.C. §102 as being anticipated by Daihatsu (JP 08061111 A). This rejection is respectfully traversed.

The Examiner states (¶ 8, page 6) that the harness sensor of Daihatsu is attached to the case member by connector 6. With respect, the Examiner has not specifically answered the Applicants' arguments that Daihatsu discloses that the harness mates directly with the connector 6, nor addressed the quoted passage of Daihatsu (“the ... end of this coupling part is in contact with the sensor through wire harness,” Basic Abstract).

Claim 20 also recites a maintenance cover. The Examiner has not addressed this feature.

As to dependent claims 21-22, there is no explanation or citation to support the rejection. As to dependent claim 23, the Examiner states that element 12 in Fig. 1 is a bolt hole, but Fig. 2 shows element 10 differently from bolt 11b, and the Applicants believe that element 10 is a nipple, and that hole 12 is not threaded.

**[4-5]** Claims 2, 3, 9, and 10 are rejected under 35 U.S.C. §103 as being unpatentable over Tsukamoto in view of Akatsu (JP 410299500 A). This rejection is respectfully traversed.

Tsukamoto discloses a snap ring, almost certainly of metal. The rejection of claim 2 implies that the person of ordinary skill would have changed the material of the snap ring from metal to liquid. As to claim 3, this recites a resilient seal member, and that is contrary to claim 2; with respect, the same reference cannot anticipate both resilient member and a liquid member, because liquid is not at all elastic.

**[6]** Claims 7 and 16-19 are rejected under 35 U.S.C. §103 as being unpatentable over Tsukamoto in view of McAfee (U.S. Patent 4,108,021). This rejection is respectfully traversed on the grounds above, and of record.

**[7]** Claim 15 is rejected under 35 U.S.C. §103 as being unpatentable over Tsukamoto in view of Hashimoto (U.S. Patent 4,977,870). This rejection is respectfully traversed on the grounds above, and of record.

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In view of the aforementioned amendments and accompanying remarks, the claims are believed to be in condition for allowance. Withdrawal of the rejection and allowance of all claims is requested.

Respectfully submitted,

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